



State of New Jersey
Department of Environmental Protection
Division of Land Use Regulation
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FRESHWATER WETLANDS GENERAL PERMIT 25 AUTHORIZATION

APPLICATION CHECKLIST AND FEE TABLE

(Updated 10/6/2008)

This checklist is to be used to authorize repair of malfunctioning subsurface sewage disposal systems (septic systems) under freshwater wetlands general permit 25.

To complete this checklist, you will need the following attachments:

Attachment A: Form letter for providing certified mail notice of an application

NOTE: Please provide only one copy of each item listed below, unless the item specifically states that more copies should be provided.

NOTE: There is no fee for an application for authorization under general permit 25.

NOTE: The person who signs the LURP2 application form as the applicant must be the owner of the site, or a person with legal authority over the site to carry out all requirements of any authorization issued. Others may assist the applicant in preparing the application, however only one person may be identified in the application as the applicant's agent. The agent may be a consultant, engineer, attorney, or other person who has assisted or prepared the application. The agent is the person to which all correspondence will be sent and the person that has authority to make decisions with regard to the application.

NOTE: General permit 25 includes authorization for transition area disturbance. If a project qualifies for the general permit, no separate transition area waiver is necessary.

NOTE: If any portion of this site is known or suspected of having any contamination the applicant shall provide any and all information regarding said contamination to this office with the associated permit application.

APPLICATION REQUIREMENTS:

To be deemed administratively complete, an application for authorization under general permit 25 must include all of the following items. These items must be submitted at least thirty days prior to starting the activities authorized under general permit 25:

- 1. A LURP2 application form, completed in accordance with the directions on the form;
- 2. The location of the site, including the county and municipality, and the block and lot, identified on both a regional map and a tax map;
- 3. A description and plan of the activities;
- 4. A letter from the local board of health with jurisdiction over the individual subsurface sewage disposal system, stating that:
 - A. The proposed activities are authorized under, and comply with, the Department's Standards for Individual Subsurface Sewage Disposal Systems at N.J.A.C. 7:9A; or are in closer compliance with N.J.A.C. 7:9A than the existing conditions.
 - B. The proposed activities are not directly or indirectly caused by an expansion of the facility the individual subsurface sewage disposal system serves, or a change in its use;
 - C. There is no increase, from the malfunctioning system, in the volume of sanitary sewage estimated in accordance with N.J.A.C. 7:9A-7.4;
 - D. The proposed activities are located on the same site as the malfunctioning system, and will disturb no more than 0.25 acres of freshwater wetlands and/or transition areas;
 - E. There is no alternative location on the site that:
 - i. Has a seasonal high water table deeper than one and one half feet below the existing ground surface; and
 - ii. Can be used for a subsurface sewage disposal system;
- 5. Proof that the public notice requirements at A and B below have been met. (Note: To prove that an item has been sent to a person, submit either the white postal receipt you receive when you send the item by certified mail, or the green certified mail return receipt card.) All of the following must be submitted:
 - A. Proof that the municipal clerk has been sent a copy of the entire application that was submitted to NJDEP;
 - B. Proof that a completed copy of the notice letter found in Attachment A has been sent to each of the following:
 - i. The municipal environmental commission (if one exists);
 - ii. The municipal planning board;
 - iii. The municipal construction official;
 - iv. The county planning board; and
 - v. One of the following sets of neighboring landowners (applicant choose one option):

- Option 1 ___ All owners of land within 200 feet of the boundary of the site (see N.J.A.C. 7:7A-1.4 for a definition of "site").
- If this option is selected, the application must also include a certified list of landowners within 200 feet of the site, obtained from the municipality; or
- Option 2 ___ All owners of land within 200 feet of the disturbance.
- If this option is chosen, the application must also include a tax map with the location of the proposed disturbance outlined, and with an area extending 200 feet on all sides of the proposed disturbance outlined;

Note: if a project site is located in more than one municipality or county, the notice requirements in item 3 above must be met for each municipality and/or county in which the site is located.

- 6. See N.J.A.C. 7:7A-5.25(f) for the special review procedures that apply to an application for authorization under general permit 25.
- 7. **NOTE: NO REGULATED ACTIVITIES MAY BE BEGUN UNDER GENERAL PERMIT 25 UNTIL 30 DAYS AFTER THE APPLICATION FOR AUTHORIZATION IS SUBMITTED TO THE DEPARTMENT.**

For more information, see the Freshwater Wetlands Protection Act rules at N.J.A.C. 7:7A.